



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 3544-99
15 November 1999



Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Marine Corps on 28 September 1979 at the age of 21. Your record reflects that you served for nearly a year without incident but on 26 August 1980 you received nonjudicial punishment (NJP) for a two day period of unauthorized absence (UA). The punishment imposed was reduction to paygrade E-1, which was suspended for three months, and forfeitures totalling \$50. On 24 October 1980 you received NJP for dereliction in the performance of your duty. The punishment imposed was reduction to paygrade E-1, forfeitures totalling \$50, and correctional custody for 15 days.

Your record reflects that on 15 December 1980, after undergoing a psychiatric examination, you were diagnosed with a personality disorder and alcoholism. Subsequently, you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed personality disorder, alcoholism, and inaptitude for Naval Service. After consulting with legal counsel you waived your right to submit a statement in

rebuttal to the discharge. On 10 March 1981 your commanding officer recommended you be issued a general discharge by reason of unsuitability. The discharge authority approved the foregoing recommendation and directed your commanding to issue you a general discharge. On 22 May 1981 you were issued a general discharge.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your contentions that you would like your discharge upgraded. The Board also considered your contention that your discharge was based on one isolated incident and does not reflect your characterization of service. However, the Board concluded these factors were not sufficient to warrant a change in the characterization your discharge because of your frequent misconduct. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director